BOROUGH OF FANWOOD
MAYOR AND COUNCIL REGULAR MEETING
JULY 17, 2017

The Regular Meeting of the Mayor and Council was held on July 17, 2017, at Borough Hall, 75 North Martine Avenue, Fanwood, NJ 07023 at 7:05 PM.

Mayor Mahr presided and stated: I hereby announce and request that such be included in the minutes of the meeting that notice of time, place and date of this meeting has been prominently posted on the bulletin board at Borough Hall; mailed to the Times, The Star Ledger, Courier News, PATCH, Alternate Press by January 10, 2017 filed with the Borough Clerk and mailed to any person requesting same in accordance with the requirements of the Open Public Meeting Act

The Pledge of Allegiance and moment of silence was led by Mayor Mahr.

Present: Russell Huegel, Tom Kranz, Erin Mcelroy-Barker, Katherine Mitchell, Jack Molenaar
        Kevin Boris arrived later.
Absent: Katherine Mitchell
Also Present: Eleanor McGovern, Daniel McCarthy, Fred Tomkins, Antonios Panagopoulos

REVIEW AND APPROVAL OF MINUTES
Kranz/Huegel moved to accept the minutes as presented. Motion carried.

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APPOINTMENTS AND ANNOUNCEMENTS
Presentation:
1. Aimee Nuzzo was presented with a Devlin Print as Volunteer of the Month for her services as Fanwood’s representative during the 2017 Fan Jam event.

Appointment:
1. Elyse Blasi was appointed to the Recreation Commission as Alternate No. 4, appointment expiring 12/31/2017. Kranz/Huegel moved to confirm this appointment. Motion carried.

PRESENTATION OF COMMUNICATIONS AND REFERRAL

1. New Jersey Senate & General Assembly
   Re: Response to Resolution 17-05-107, Equal Pay for Women
   Disposition: Note and File
2. New Jersey Transit
   Re: Fiscal Year 2017 Federal Program
   Disposition: Note and File
3. Township of Cranford
   Re: Funding for the Gateway Program
   Disposition: Resolution on 7/17/2017 agenda.

STANDING COMMITTEE REPORTS
A. Administration and Finance (Councilman Huegel)
Kranz/Molenaar moved to accept the Tax Collector’s Report for the month of June. Motion carried.

B. Public Safety (Councilman Boris)
Councilman Boris reported that the Police Department made 3 arrests relevant to the house break in on Farley Avenue and reported on other police matters. He arrived at 7:30 pm.

C. Public Works (Councilman Molenaar)
Councilman Molenaar reported for the Fire Department, Public Works and gave an engineering report for the month of June. He reported that an additional meeting will be scheduled to meet with the residents of Madison Avenue.

D. Land Use and Historic Preservation (Councilman Kranz)
Councilman Kranz reported for the Board of Health.

E. Recreation and Community Services (Councilwoman Mcelroy-Barker)
Councilman Mcelroy-Barker reported for the Recreation Commission.

F. Health and Senior Citizens (Councilwoman Mitchell)
No report.

Mayor Mahr reported on the grants received from the Department of Environment Protection and the additional aid the Board of Education received from the State. New Jersey Transportation Plan authorized an $800,000 grant to improve South Avenue from Terrill Road to the train station. Fanwood was the only municipality to receive a grant in Union County.

SPECIAL COMMITTEE REPORTS
None

PRESENTATION OF CLAIMS
Huegel/Boris moved to adopt the Payment of Claims for July. Motion carried on the following roll call vote.

BE IT RESOLVED that claims in the amount of $2,647,477.18 having been listed on the Bill List and recorded in the files of the Borough Hall, and approved by the Chairman of the appropriate Committee, be paid.

FOR: Huegel, Boris, Kranz, Mcelroy-Barker, Molenaar
AGAINST: None
ABSTAINED: None
ABSENT: Mitchell

AUDITING OF CLAIMS BY RESOLUTION
None

PRIVILEGE OF THE FLOOR BY THE PUBLIC FOR AGENDA ITEMS ONLY
Boris/Huegel moved to open the meeting to the public. Motion carried.
Michael Lewis, 41 Beech Avenue, questioned Resolution 17-07-144, Fair and Welcoming Resolution, and hoped that Council would not pass it.

Mary Jane Finney, Farley Avenue, stated she was in favor of Resolution 17-07-144.

OLD BUSINESS
A. Administration and Finance (Russell Huegel)

Ordinance 17-11-R
Huegel/Boris moved to open the Public Hearing on Ordinance 17-11-R. Motion carried.
No one spoke.
Huegel/Boris moved to close the Public Hearing. Motion carried.
Huegel/Boris moved to adopt Ordinance 17-11-R. Motion carried on the following roll call vote.

AN ORDINANCE AMENDING CHAPTER 280, VEHICLES AND TRAFFIC, OF THE CODE OF THE BOROUGH OF FANWOOD, RELATING TO ARTICLE 11 PARKING

BE IT ORDAINED by the Mayor and Council of the Borough of Fanwood, County of Union, State of New Jersey, that Chapter 280, Vehicles and Traffic, of the Code of the Borough of Fanwood, County of Union is hereby amended as follows:

Section I. Section 280-14 Off Street Parking is hereby amended to read as follows:

C. Daily Permits.

(1) Fanwood Train Station Lot (Central Railroad of New Jersey lot). Daily parking is permitted only in those stalls marked for daily parking and the fee for parking in those spaces shall be six dollars ($6) per day.

(2) Carriage House Parking Lot, north side of Watson Road (Lot No. 7). Daily parking is permitted in this lot at a fee of six dollars ($6) per day. The fee shall be paid at the Police Station and a paid receipt shall be displayed inside vehicle and visible from outside in accordance with §89-14B(1).

Section II. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed.

Section III. This ordinance shall take effect immediately upon final passage and publication as required by law.

FOR: Huegel, Boris, Kranz, Mcelroy-Barker, Molenaar
AGAINST: None
ABSTAINED: None
ABSENT: Mitchell

CONSENT AGENDA

Resolution 17-07-134
Boris/Huegel moved to adopt Resolution 17-07-134. Motion Carried.
BE IT RESOLVED by the Mayor and Council of the Borough of Fanwood that the Fanny Wood Day Committee has permission to close Martine Avenue from South Avenue to LaGrande Avenue, and South Avenue from First Street to Second Avenue, 7 A.M. to 7 P.M. and to display a banner on Borough property announcing the event that is scheduled for Sunday, September 17, 2017.

Resolution 17-07-135
Boris/Huegel moved to adopt Resolution 17-07-135. Motion Carried.

BOROUGH OF FANWOOD
RESOLUTION 17-07-135

A RESOLUTION AUTHORIZING THE MAYOR AND MUNICIPAL CLERK OF THE MUNICIPALITY OF FANWOOD TO EXECUTE AN AGREEMENT WITH THE COUNTY OF UNION TO MODIFY THE COOPERATIVE AGREEMENT DATED JUNE 17, 2014

WHEREAS, certain Federal funds are potentially available to the County of Union under Title I of the Housing and Community Development Block Grant Act of 1974, as amended, commonly known as the Community Development Block Grant Program; and

WHEREAS, certain Federal funds are potentially available to the County of Union under Title II of the National Affordable Housing Act of 1990, commonly known as the HOME Investment Partnership program; and

WHEREAS, substantial Federal funds provided through subtitle B of Title IV of the McKinney-Vento Homeless Assistance Act commonly known as the Emergency Solutions Grants program (ESG) are allocated to prevent homelessness and to enable homeless individuals and families to move toward independent living; and

WHEREAS, it is necessary to amend an existing Cooperative Agreement for the County of Union and its people to benefit from this program; and

WHEREAS, it is in the best interest of the Municipality of Fanwood and the County of Union in cooperation with each other to enter into a modification of the existing Cooperative Agreement pursuant to N.J.S.A. 40A:65-1 et seq;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Governing Body of the Municipality of Fanwood that the agreement entitled “COOPERATIVE AGREEMENT BETWEEN THE COUNTY OF UNION AND CERTAIN MUNICIPALITIES FOR CONDUCTING CERTAIN COMMUNITY DEVELOPMENT ACTIVITIES,” dated June 17, 2014, for the Purpose of Inserting a Description of Activities for Fiscal Year 2017-2018 of the Union County Community Development Block Grant program, the HOME Investment Partnership program, and the Emergency Solutions Grants program (ESG), a copy of which is attached hereto; be executed by the Mayor and Municipal Clerk in accordance with the provisions of law;

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its
Resolution 17-07-136
Boris/Huegel moved to adopt Resolution 17-07-136. Motion Carried.

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transaction, and

WHEREAS, the Annual Report of Audit for the year 2016 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S. 40A:5-6, and a copy has been received by each member of the governing body, and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34, and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

General Comments
Recommendations

and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the section of the Annual Audit entitled:

General Comments
Recommendations

as evidenced by the group affidavit form of the governing body, and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board, and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, Failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52-to wit:

R.S. 52:27BB-52:"A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined nor more than one thousand dollars ($1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."
NOW, THEREFORE BE IT RESOLVED, that the governing body of the Borough of Fanwood, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Resolution 17-07-138
Boris/Huegel moved to adopt Resolution 17-07-138. Motion Carried.

WHEREAS, the Borough of Fanwood’s connection to commuter rail has been an engine for economic growth and a contributor to Fanwood’s identity as a traditional commuter railroad community, and

WHEREAS, the Borough’s and the region’s continued cultural and economic success is highly dependent on infrastructure investments in the Raritan Valley Rail Line and its connections to major urban centers including Newark, New Jersey and New York, New York, and

WHEREAS, the cancellation of the ARC Tunnel Project, rail infrastructure support for the Hudson River tunnels and the connecting rail service has predictably deteriorated, threatening Fanwood and the region’s continued economic growth, and

WHEREAS, delays due to congestion and deterioration of the region’s rail infrastructure costs Fanwood and the region’s businesses millions of dollars annually in lost productivity, and

WHEREAS, the Gateway Program is a comprehensive program of strategic rail infrastructure improvements designed to improve current services and create new capacity that will allow the increase of passenger trains running under the Hudson River increasing commuter services and boosting economic growth.

NOW, THEREFORE, BE IT RESOLVED the Borough Council of the Borough of Fanwood urges our State and Federal legislators to aggressively pursue funding for the Gateway Program as it is essential to Fanwood and the region’s economic success.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to United States Secretary of Transportation, Elaine Chao, Representative Bonnie Watson-Coleman, Governor Chris Christie, Senator Nicholas Scutari, Assemblyman Jerry Green and Assemblyman James Kennedy.

NEW BUSINESS
Administration and Finance (Councilman Huegel)
Resolution 17-07-137
Huegel/Boris moved to adopt Resolution 17-07-137. Motion carried on the following roll call vote.

Resolution Authorizing Submission of 2017 Preserve Union County Grant Application

WHEREAS, the Union County Board of Chosen Freeholders has announced that it is accepting grant applications for historic preservation grants that are due August 7, 2017; and
WHEREAS, this year’s grant round is for acquisition, stabilization, rehabilitation, and/or preservation projects; and

WHEREAS, the grant request requires a match of $1 for every $1 in award money; and

WHEREAS, eligible applicants must be municipal governments within Union County, Union County Government, charitable conservancies, or historical societies or organizations; and

WHEREAS, eligible properties must be located in Union County, listed on the National or New Jersey Register of Historic Places, or contribute to the significance of a historic district listed on the National or New Jersey Registers, or, if not listed in either Register, must be certified eligible for listing by the State Historic Preservation Office either as an individually listed site or a contributing site within a historic district; and

WHEREAS, the Borough of Fanwood is an eligible applicant and the Fanwood Railroad Station Complex (ID#2680) was added to the New Jersey Register of Historic Places on November 7, 1979 and the National Register of Historic Places on July 17, 1980; and

WHEREAS, the Borough of Fanwood will conduct restorations to the Fanwood Railroad Station Complex to preserve, restore, repair, rehabilitate, and stabilize its historic features; and

WHEREAS, the Borough of Fanwood wishes to request $178,892.50 from the Union County Open Space, Recreation & Historic Preservation Trust Fund and pledges $178,892.50 as a local match.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Fanwood that the Borough Council approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Borough Council is hereby authorized to submit said grant application to the Union County Board of Chosen Freeholders on behalf of the Borough of Fanwood.

BE IT FURTHER RESOLVED that the Borough Administrator is hereby authorized to sign the grant agreement assurances on behalf of the Borough of Fanwood, and that her signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

FOR: Huegel, Boris, Kranz, Mcelroy-Barker, Molenaar
AGAINST: None
ABSTAINED: None
ABSENT: Mitchell

Resolution 17-07-139
Huegel/Boris moved to adopt Resolution 17-07-139. Motion carried on the following roll call vote.

FORM OF RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJS 40A:87

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or
municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Fanwood in the County of Union, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2017 in the sum of $12,000.00 which is now available from the Shared Service Agreement with Township of Scotch Plains in the amount of 12,000.00

BE IT FURTHER RESOLVED, that the like sum of $12,000.00 is hereby appropriated under the caption Shared Service with Township of Scotch Plains, and

BE IT FURTHER RESOLVED that the above is the result of funds from the Township of Scotch Plains in the amount of $12,000.00

Resolution 17-07-140
Huegel/Boris moved to adopt Resolution 17-07-140. Motion carried on the following roll call vote.

WHEREAS, N.J.S. 40A:4-85 provides that the Director of the Division of Local Government Services may, at the request of, or with the consent of, the governing body of any county or municipality, make such correction of the title, text or amount of any appropriation appearing in the budget as may be necessary to make said item of appropriation available for the purpose or purposes required for the needs of any such county or municipality;

NOW, THEREFORE, BE IT RESOLVED that in accordance with the provisions of N.J.S. 40A:4-85, the Council of the Borough of Fanwood, in the County of Union, State of New Jersey, hereby requests the Director of the Division of Local Government Services to make the following corrections in the budget year 2017-

Appropriation will be made from Building S&W $10,000.00 to

An appropriation in the like amount of $10,000.00 to Construction O&E

BE IT FURTHER RESOLVED, that the foregoing correction is, in the opinion of the governing body, warranted and authorized by the statute above referred to, and is necessary for the orderly operation of the Borough for the reasons hereinafter set forth:

The Borough’s Construction Code Official has retired, currently engaged in hiring process. Until new official hire, have employed contractual person. Consequently, funds need to be moved from the salary line to the other expense line.
BE IT FURTHER RESOLVED, that the Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval.

FOR: Huegel, Boris, Kranz, Mcelroy-Barker, Molenaar
AGAINST: None
ABSTAINED: None
ABSENT: Mitchell

Resolution 17-07-141
Huegel/Boris moved to adopt Resolution 17-07-141. Motion carried on the following roll call vote.

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION
NJS 40A:4-87
(With Matching funds for grants)

WHEREAS, NJS 40a:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an appropriation for the equal amount;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Fanwood, in the county of Union, New Jersey, hereby requests revenue in the budget of the year 2017 in the sum of $62,802.58, which is now available as a revenue from NJ Department of Environmental Protection, Green Acres Program, pursuant to the provision of the statute, and

BE IT FURTHER RESOLVED that the sum of $62,802.58 is hereby appropriated under the caption NJ Department of Environmental Protection, Green Acres Program, and

BE IT FURTHER RESOLVED that the sum of $62,802.58 representing the amount required for the municipality’s share of the aforementioned undertaking or improvement appears in the Capital budget, Borough Improvements of the year 2017 and

BE IT FURTHER RESOLVED that the above is a result of a State grant of $62,802.58 from NJ Department of Environmental Protection, Green Acres Program.

FOR: Huegel, Boris, Kranz, Mcelroy-Barker, Molenaar
AGAINST: None
ABSTAINED: None
ABSENT: Mitchell

Resolution 17-07-145
Huegel/Boris moved to adopt Resolution 17-07-145. Motion carried on the following roll call vote.

RESOLUTION AUTHORIZING THE ISSUANCE OF NOT
BE IT RESOLVED BY THE BOROUGH COUNCIL OF FANWOOD, IN THE COUNTY OF UNION, NEW JERSEY, AS FOLLOWS:

Section 1. In anticipation of the collection of taxes for the fiscal year 2017 levied or to be levied in such year or in anticipation of other revenue of such year, and for the purposes provided for in the budget for which taxes are levied or to be levied for such year, Tax Anticipation Notes of 2017 of the Fanwood, New Jersey are hereby authorized to be issued in the principal amount not to exceed $5,000,000.00 (at any one-time outstanding) pursuant to the Local Budget Law of the State of New Jersey.

Section 2. The following matters in connection with said notes are hereby determined:

TITLE: Tax Anticipation Notes of Fiscal Year 2017 (each Additional series, if any, shall be designated with a Corresponding alphabetical letter)

DATE, NUMBER, DENOMINATION AND PLACE OF PAYMENT As may be determined by the Borough Chief Financial Officer

MATURITY: As may be determined by the Borough Chief Financial Officer

INTEREST RATE: As may be determined by the Borough Chief Financial Officer

FORM: Substantially in the form attached hereto

Section 3. The borrowing power of the Borough on Tax Anticipation Notes for the fiscal year 2017 is $10,328,226.00 as determined by a certificate of the Borough Chief Financial Officer filed in the office of the Borough Clerk, such certificate being as follows:

CERTIFICATE

I, Frederick J. Tomkins, Borough Chief Financial Officer of the Fanwood, in the County of Union, New Jersey HEREBY CERTIFY as follows:

1. The gross borrowing power in respect of Tax Anticipation Notes of Fiscal Year 2017, being 30% of the tax levy of the next receding Fiscal year of all purposes, plus 30% of the amount of miscellaneous Revenues realized in cash during the next preceding fiscal year is $10,328,226.00.

2. The amount of notes outstanding in anticipation of the collection of Taxes of the 2017 fiscal year, except such notes as will be renewed by
Or paid from the proceeds of the notes to be issued, is $0.

3. The net borrowing power, being the excess of the first over the second of the two above amounts is $10,328,226.00.

IN WITNESS WHEREOF, I have hereunder set my hand this 17th day of July, 2017.

__________________________
Borough Chief Financial Officer

Section 4. The Borough Chief Financial Officer signing such notes is hereby authorized and directed to determine all matters in connection therewith not determined by this or a subsequent Resolution and his signature upon said notes shall be conclusive evidence that all such matters have been so determined in manner and effect consistent with the form and substance of such notes. The Borough Chief Financial Officer is hereby authorized to sell said Tax Anticipation Notes of 2017 at public or private sale at not less than par and to deliver the same to the purchasers thereof upon receipt of the purchase price plus accrued interest from the dates of the notes to the date of delivery thereof and payment therefor.

Section 5. Said notes shall be general obligations of the Borough and the full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and said interest on said obligations, and, unless otherwise paid or payment provided for, taxes shall be levied in an amount sufficient to pay the principal of and interest on said obligations as the same shall become due and payable.

Section 6. The Borough Chief Financial Officer is authorized and directed to report in writing to this Borough Council at the meeting next succeeding the date when the sale of any of said notes pursuant to this resolution is made, such report to include the amount, description, interest rate and maturity of the notes sold, the price obtained and the name of the purchaser, and such report shall be entered in full in the minutes of such meeting.

Section 7. This resolution shall take effect immediately.

FOR: Huegel, Boris, Kranz, Mcelroy-Barker, Molenaar
AGAINST: None
ABSTAINED: None
ABSENT: Mitchell

Public Works (Councilman Molenaar)
Resolution 17-07-148
Molenaar/Boris moved to adopt Resolution 17-07-148. Motion carried on the following roll call vote.

RESOLUTION OF THE BOROUGH OF FANWOOD AUTHORIZING AWARD OF SIDEWALK REPLACEMENT CONTRACT FOR MARTINE AVENUE SHOPS TO A TEAM CONCRETE
WHEREAS, The Borough of Fanwood ("Fanwood") has directed that a sidewalk replacement project for the Martine Avenue Shops be undertaken (the "Project"); and

WHEREAS, Fanwood has sought bids for the Project pursuant to the Local Public Contracts Law ("LPCL") N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, Fanwood has on two occasions received and rejected bids for the Project, all of which exceeded the engineer’s estimate for the Project; and

WHEREAS, Fanwood’s engineer for the Project, Najarian Associates, Inc. sought negotiation prices from the bidders; and

WHEREAS, A Team Concrete submitted the lowest responsible bid in the amount of One Hundred and Sixty Thousand Dollars ($160,000.00), said amount being within the engineer’s estimate for the Project.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Fanwood, County of Union, State of New Jersey, that the Borough of Fanwood hereby awards a contract for the Project to A Team Concrete in the amount of One Hundred Sixty Thousand Dollars ($160,000.00); and

BE IT FURTHER RESOLVED that said award is subject to the execution of proper contract documents in the form acceptable to the Borough of Fanwood and its Professionals.

FOR: Molenaar, Boris, Huegel, Kranz, Mcelroy-Barker
AGAINST: None
ABSTAINED: None
ABSENT: Mitchell

Public Safety (Councilman Boris)
Resolution 17-07-142
Boris/Molenaar moved to adopt Resolution 17-07-143. Motion carried.

WHEREAS, Michael Rusin has completed the necessary requirements for an in-grade promotion to Patrolman Class A, and

WHEREAS, the Chief of Police certifies that the prerequisites for in-grade promotion have been accomplished and has recommended that Michael Rusin be promoted to Patrolman Class A, on August 17, 2017.

NOW, THEREFORE, BE IT RESOLVED, the Borough Council hereby authorizes Michael Rusin’s promotion to Patrolman Class A on August 17, 2017.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Borough Treasurer to make the necessary salary adjustment.
Resolution 17-07-143
Boris/Molenaar moved to adopt Resolution 17-07-143. Motion carried on the following roll call vote.

WHEREAS, the Fanwood Rescue Squad has picked HGACBuy¹, P.O. Box 22777, Huston, Texas 77227-2777, as a responsible vendor to purchase a new ambulance after careful consideration by squad members, and

WHEREAS, HGACBuy¹, under State Contract, has proposed to supply a vehicle in the amount of $205,875.00, under State Contract No. AM10-16, that includes all the options required by the Rescue Squad.

NOW, THEREFORE, BE IT RESOLVED the Borough Council hereby awards HGACBuy¹ the contract for a new ambulance in and amount not to exceed $205,875.00.

FOR: Boris, Molenaar, Huegel, Kranz, Mcelroy-Barker
AGAINST: None
ABSTAINED: None
ABSENT: Mitchell

Resolution 17-07-144
Boris/Huegel moved to adopt Resolution 17-07-144. Motion carried.

FAIR AND WELCOMING RESOLUTION
OF THE BOROUGH OF FANWOOD

WHEREAS, the Borough of Fanwood (the “Borough”) values its ethnic and racial diversity and recognizes it as a source of its strength; and

WHEREAS, the Borough is committed to ensuring that all our residents can live and pursue their livelihoods in peace and prosperity; and

WHEREAS, community policing depends on law enforcement being able to build trust with every community; and

WHEREAS, local law enforcement rely on the cooperation of immigrant communities to report crimes, act as witnesses in criminal investigations and provide intelligence to law enforcement; and

WHEREAS, undue collaboration between local law enforcement and Immigration and Customs Enforcement (“ICE”) is forcing many within immigrant communities to stop cooperating with local law enforcement, thus making our community less safe; and

WHEREAS, a growing number of municipalities around the country are enacting measures to protect the rights of their immigrant residents and maintain the bonds of trust between immigrant communities and local law enforcement to ensure the safety of their communities; and

WHEREAS, in light of the need to maintain the trust of and cooperation of the immigrant community, and in light of the need to be true to our values, the Borough desires to heed the example of
municipalities all across the country, and develop measures to protect the rights of our immigrant residents by clarifying the relationship between local law enforcement and ICE.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fanwood, County of Union, State of New Jersey, as follows:

1. The Mayor and Council are committed to working together to craft strong anti-discrimination policies to protect vulnerable communities such as:

a. Vigorously opposing any government registry based on religion or national origin;

b. Reaffirming that Fanwood is committed to maintaining community stakeholder engagement around implementation of policies that preserve and protect our diverse and inclusive community, and will serve as a resource for immigrant community members.

c. Establishing Borough policies that ensure all residents are treated fairly and without discrimination based on actual or perceived national origin, immigration status, race, ethnicity, language proficiency, religion, sexual orientation, gender identity, disability, housing status, financial status, marital status, status as a victim of domestic violence, criminal history, or status as a veteran, including, without limitation, policies prohibiting Borough agents and employees conditioning services on immigration status, except where required under applicable Federal or State law, and prohibiting Borough agents and employees from coercing individuals by threatening to report them or their family members to ICE or take other immigration-related action against them or their family members;

d. Establishing a policy that in instances where presentation of a State driver’s license is accepted as adequate evidence of identity, presentation of a photo identity document issued such as a driver’s license, passport, or consulate-issued document, shall be equally sufficient evidence of identify;

e. Establishing a policy that Borough employees should not inquire into individuals’ immigration status;

f. Establishing a policy providing strong privacy protections limiting the extent to which Borough agents and employees are permitted to maintain and share confidential personal information, including but not limited to information about national origin, race, ethnicity, language proficiency, religion, except where otherwise required by law or by court order. Nothing in such a policy shall restrict a municipal agent, employee, or agency from maintaining, requesting, sending, receiving, or exchanging information regarding an individual’s citizenship or immigration status, lawful or unlawful, with another Federal, State, or local government entity, as governed by 8 U.S.C. §1373 and 8 U.S.C. §1644;
g. Reaffirming the Borough’s commitment to enforce worker protections, such as earned sick days, wage theft, and living wage laws, regardless of immigration status;

h. Encouraging Union County to create a County ID program, available to all Union County residents without regard to immigration status or criminal record and accepted by all County and Municipal agencies and departments;

i. Establishing a policy requiring the Borough to provide a periodic report on its website regarding the number of times the Borough was asked to participate in any civil immigration enforcement operations, the number of times the Borough did participate, the number of detainer requests lodged and the number of U-Visa requests made;

j. Continuing the policy of the Borough that its law enforcement agents and employees are not to enter into any contracts, agreements or arrangements with the Federal government that deputize local law enforcement officers to act as immigration agents or use local facilities to house immigrants in deportation proceedings; stop, arrest or detain people based on perceived or actual immigration status or belief the person has committed an immigration offense; arrest, detain or transfer individuals based on warrantless immigration detainers.

2. The aforementioned recitals are incorporated herein by reference.

3. A copy of this Resolution shall be available for public inspection at the office of the Borough Clerk.

4. This Resolution shall take effect immediately.

Land Use and Historic Preservation (Councilman Kranz)
Resolution 17-07-146
Kranz/Boris moved to adopt Resolution 17-07-146. Motion carried.

WHEREAS, it is necessary to extend Michael Wright’s appointment as temporary Construction Official since the shared services negotiations with Garwood have not proven to be a possibility for Fanwood. It is necessary to again seek a replacement for the retired Construction Official and Building Sub Code Official.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council that Michael Wright is hereby appointed temporary Construction Official until September 15, 2017.

Resolution 17-07-147
Kranz/Boris moved to adopt Resolution 17-07-147. Motion carried.

WHEREAS, it is necessary to extend Richard Bizik’s appointment as a temporary Building Sub Code Official since the Borough has not appointed a part time permanent Building Sub Code Official as of this time. The appointment of a permanent Building Sub Code Official was delayed due to the fact that
Garwood approached the Borough of Fanwood to take over their Construction Office services as a shared service. The negotiations did not become a reality.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council that Richard Bizik’s temporary appointment as Building Sub Code Official be extended to September 15, 2017.

**PRIVILEGE OF THE FLOOR BY THE PUBLIC**
Molenaar/Kranz moved to open the meeting to the public. Motion carried.
David Schwartzberg, 41 Madison Avenue, requested that Council just pave Madison Avenue, no sidewalks. Councilman Molenaar addressed his questions.
Mary Jane Finney, Farley Avenue, requested that Council install sidewalks on Midway Avenue as soon as possible.
John Torzewski, 45 Madison Avenue, stated that at the May 1st Council Meeting Council Members mentioned a second meeting with the Madison Avenue residents. Councilman Molenaar addressed his question.

**MAYOR AND COUNCIL COMMENTS**
Councilman Molenaar wished everyone watching a safe summer.
Councilwoman Mcelroy-Barker wished all a happy summer.
Councilman Huegel said Good Night.
Councilman Kranz reminded residents that the break-in on Farley was a random choice. He reminded all that doors should be locked for safety reasons.
Councilman Boris thanked Aimee Nuzzo for her efforts in making Fan Jam a success.
Mayor Mahr stated that we have been shown how a home invasion can happen and that we have to be watchful for ourselves and our neighbors. She also stated that the $800,000 grant is the largest the Borough has received.

**ADJOURNMENT**
Molenaar/Boris moved to adjourn at 8:10 pm. Motion carried.

Respectfully submitted,

Eleanor McGovern
Borough Clerk